

Claim 1 also recites positively indicating to an operator if the scanned unique sequential code does not correspond to an item that belongs in the grouped order. This feature is not described by Markman.

Applicant verifies that grouping of items into a group order was done correctly. Markham has no such teaching.

The examiner contends that the reference teaches indicating to an operator if the scanned unique sequential code does not correspond to an item that belongs in the grouped order. The examiner relies on col 8 lines 4 to col 10 lines 12 and FIG. 1. This contention is incorrect. First, Markham is dealing with ungrouped articles and tries to group them into plural groups. Markham does not operate on the grouped order. Second, Markham neither describes nor suggests a positive indication that an article does not belong in a group. Rather, Markham teaches an indication that the article belongs in some group. Markham accomplishes this by specifying the location i.e., hook on which to place articles by activating a light over the hook to tell an assembler where to hang the article of clothing. The examiner contends at page 4 of the office action that: "...the data processor ... selects the storage location 84 that is already assigned by sending a signal to the indicator." (Emphasis supplied).

The recited feature of a positively indicating that an article does not belong in a group is missing from Markman. First, indicating some group does not equate to positively indicating that the article belongs in the group. Second, one could consider what would happen if an operator were to mix two different lots of groups. An operator can be grouping a first lot of items that corresponds to a certain number of groups of an order. All of the groups in that lot are assigned stations. The second lot would have all of the groups assigned to the same stations. Since the stations are all preassigned, when the operator is grouping the first lot, Markman does not have mechanism to positively indicate that an item from the second lot of groups does not belong in any group in the first lot. Rather, Markman would incorrectly assign it to some group in the first lot. Thus, there is no teaching of positively indicating that an article does not belong in a group.

Markham cannot verify that a subsequently assembled order or group was correctly done. Applicant points out in the specification instances where it is desirable to test if grouping of articles was done correctly. Thus, indicating to an operator if the scanned unique sequential code

does not correspond to an item that belongs in the grouped order is neither described nor suggested by Markham and serves to distinguish Claim 1 from Markham.

Newly added claim 34 and 36 and claims 24 now recite articles that were in a physically grouped order and indicates "when an article has been scanned previously". Markman does not indicate when an item has been previously scanned. Claim 13 now recited articles that were in a physically grouped order.

The Examiner rejected claims 27-33 as being unpatentable over Markman in view of Amacher et. al. (U.S. 4,716,281) under 35 U.S.C. §103(e). Neither, Markman nor Amacher teach or suggest a method that verifies articles that were in a physically grouped order and indicates "when an article has been scanned previously" as now amended in the independent claims for which claims 27-33 depend. Therefore, claims 27-33 should be allowed.

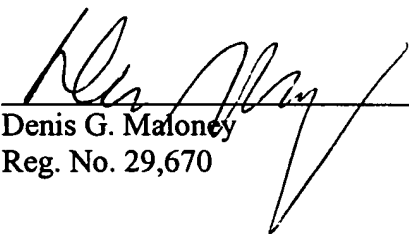
With regard to the other claims, since claims 2-4, 6-12 and 23 depend directly or indirectly on claim 1, claims 14-16 and 18-22 depend directly or indirectly on claim 13, and claims 25 and 26 depend directly or indirectly on claim 24, these claims should be allowed as submitted.

For the reasons stated above, we submit that the claims are now allowable and ask the Examiner to allow them. Please apply any other charges or credits to Deposit Account No. 06-1050. Attached is a marked-up version of the changes being made by the current amendment.

Respectfully submitted,

Date: _____

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Version with markings to show changes made

In the claims:

Claims 34-36 have been added.

Claims 1, 13, 24 and 26 has been amended as follows:

1. (Thrice Amended) A method of inventory management comprises:
verifying that articles, which were physically grouped by a manual or automated grouping process into a physically grouped order, belong to the physically grouped order:
examining codes on tags by scanning unique identifier codes on the tags, each tag associated with one article in the group to determine that the article belongs in the grouped order;
positively indicating to an operator if the scanned unique sequential code does not correspond to an item that belongs in the grouped order.

13. (Thrice Amended) A computer program product residing on a computer readable media for use in a dry cleaning establishment comprises instructions for causing a computer to:
verify that articles, which were physically grouped by a manual or automated grouping process into a physically grouped order, belong to the physically grouped order, wherein
instructions to verify comprise instructions to:
examine codes on tags and scan unique identifier codes on the tags, each tag associated with one article in the group to determine that the article belongs in the grouped order; and
indicate to an operator if the scanned unique sequential code does not correspond to an item that belongs in the grouped order.

24. (Thrice Amended) An apparatus for verifying inventory grouping comprises:
a scanner to scan codes on labels;
a computer having a computer readable storage media storing a computer program product comprises instructions for causing the computer to:

verify that articles, which were physically grouped by a manual or automated grouping process into a physically grouped order, belong to the physically grouped order, wherein instructions to verify comprise instructions to:

examine codes on tags and scan unique identifier codes on the tags, each tag associated with one article in the group to determine that the article belongs in the grouped order;

[indicate to an operator if the scanned unique sequential code does not correspond to an item that belongs in the grouped order] and

indicate when an article has been scanned previously.

26. (Twice Amended) The apparatus of claim 25 further comprising:

a printer to print tags having unique sequential identification for affixing to the articles and/or a[n] ticket or an invoice.